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*Attorneys for Plaintiff John Lofton, on his own  
behalf, and behalf of all others similarly situated*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

JOHN LOFTON, an individual, on his own  
behalf and on behalf of all others similarly  
situated,

Plaintiff,

v.

VERIZON WIRELESS (VAW) LLC, and  
DOES 1-100, inclusive,

Defendants.

No. C 13-05665 YGR

Honorable Yvonne Gonzalez Rogers  
Honorable Jacqueline Scott Corley

**NOTICE OF MOTION AND  
UNOPPOSED MOTION FOR FINAL  
APPROVAL OF CLASS  
SETTLEMENT AND PLAN OF  
DISTRIBUTION**

Date: May 24, 2016  
Time: 2:00 p.m.  
Location: Courtroom 1  
Ronald V. Dellums Federal Bldg.  
1301 Clay Street  
Oakland, California 94612

**NOTICE OF MOTION FOR PRELIMINARY APPROVAL  
AND PLAN OF ALLOCATION**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD: PLEASE TAKE NOTICE THAT on May 24, 2016 at 2:00 p.m., in Courtroom 1 in the Ronald V. Dellums Federal Building at 1301 Clay Street, Oakland, California 94612, before the Honorable Judge Yvonne Gonzalez Rogers, Plaintiff John Lofton ("Lofton") will and hereby does move for final approval of the class settlement and the related plan of distribution with Defendant Verizon Wireless (VAW) LLC ("Verizon") under Rule 23(c) and 23(e) of the Federal Rules of Civil Procedure for entry of the submitted order which: (1) finally certifies the settlement class; (2) appoints Plaintiff as the representative of the class; (3) appoints class counsel; (4) finally approves the settlement as fair, reasonable, and adequate; (5) finally approves Lofton's plan to distribute the settlement's benefits to class members; and (6) disposes and dismisses of the rest of the case consistent with the terms of the settlement.

On January 28, 2016, the Court determined, on a preliminary basis, that the parties' settlement was fair, reasonable, and adequate to the class, consistent with Rule 23(e). (ECF No. 198.) Nothing in the intervening process has emerged which could undermine this initial assessment. Notice has been sent to the class and (to date) none of the class members have objected and only two have opted out. Objections are due on May 4, 2016; Lofton will address any objections in a reply brief.

This Motion is based on this Notice of Motion and Motion, the Memorandum of Points and Authorities in Support of the Motion, the authorities cited therein and the supporting declarations, the Settlement Agreement, Plan of Allocation, the Notice (including Website Notice, Direct Notice, and Publication Notice), and the proposed Order for Final Approval, the oral argument of counsel, and any other matter that may be submitted at the hearing. Further, this Motion is made on the grounds that the Settlement is the product of arm's-length, good-faith negotiations; is fair, reasonable, and adequate to the Class, and should be finally approved, as discussed in the attached memorandum.

Dated: April 14, 2016

By: /s/David C. Parisi  
David C. Parisi (162248)

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